

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Court Minutes

June 23, 2008

At 9:30 a.m., the court met in the Library and Courts Building to begin its court calendar session. Present were Scotland, Presiding Justice; Nicholson, Associate Justice; Cantil-Sakauye, Associate Justice; and Haskett, bailiff.

C054157 THE PEOPLE v. ENGEL

Cause called. Donald M. Horgan argued for appellant. Robert C. Nash, Deputy Attorney General, argued for respondent. Cause submitted.

At 9:53 a.m., the court recessed. At 9:57 a.m., the court reconvened with Scotland, Presiding Justice; Nicholson, Associate Justice; and Robie, Associate Justice.

C057179 THE PEOPLE v. KNOT

Cause called. Quinn Denvir argued for appellant. Darren K. Indermill, Deputy Attorney General, argued for respondent. Cause submitted.

At 10:28 a.m., the court recessed. At 10:32 a.m., the court reconvened with Sims, Associated Justice; Robie, Associate Justice; and Butz, Associate Justice.

C052005 DION v. BLAKE

Cause called. Sharon L. Lapin argued for appellant. Lisa Blake argued for respondent in pro per. Cause submitted.

At 10:51 a.m., the court recessed. At 2:00 p.m., the court reconvened with Scotland, Presiding Justice; Blease, Associate Justice; and Robie, Associate Justice.

C053527 THE PEOPLE v. DIMAS

Cause called. Paul R. Kraus, court appointed counsel, argued for appellant. Harry Joseph Colombo, Deputy Attorney General, argued for respondent. Cause submitted.

At 2:26 p.m., the court recessed. At 2:30p.m., the court reconvened with Scotland, Presiding Justice; Robie, Associate Justice; and Butz, Associate Justice.

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Court Minutes

June 23, 2008 continued

C053821 THE PEOPLE v. HODGES

Cause called. Edgar Eugene Page, court appointed counsel, argued for appellant. Jesse Witt, Deputy Attorney General, argued for respondent. Cause submitted.

At 2:49 p.m., the court recessed. At 2:54 p.m., the court reconvened with Sims, Associated Justice; Nicholson, Associate Justice; and Hull, Associate Justice.

C055033 BRIAN FELIX, INC., et al. v. MAMMOTH REAL ESTATE COMPANY, INC., et al.

Cause called. Herb Fox argued for appellant. Jay-Allen Eisen argued for respondent. Cause submitted.

At 3:15 p.m., the court recessed until Monday, July 21, 2008, at 9:30 a.m.

C053161 THE PEOPLE v. CORONA (Not For Publication)

The judgment is affirmed.

MORRISON, J.

We Concur: Raye, Acting P.J.
Butz, J.

C055087 THE PEOPLE v. MICHEL (Not For Publication)

The judgment (order of probation) is affirmed.

BUTZ, J.

We Concur: Blease, Acting P.J.

C054907 BARR v. WORKERS' COMPENSATION APPEALS BOARD and SUBSEQUENT INJURIES BENEFITS TRUST FUND (Certified For Publication)

C057303 DEPARTMENT OF INDUSTRIAL RELATIONS, SUBSEQUENT INJURIES BENEFITS TRUST FUND v. WORKERS' COMPENSATION APPEALS BOARD and DORIGO

Petitioner shall recover costs in the Barr proceeding. The WCAB's award of costs in the Dorigo matter is affirmed. Respondents shall recover costs in the Dorigo proceeding.

RAYE, J.

We Concur: Sims, Acting P.J.
Cantil-Sakauye, J.

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Court Minutes

June 23, 2008 continued

**C056084 In re R.J. et al.; TEHAMA COUNTY (Certified For Publication)
DEPARTMENT OF SOCIAL SERVICES
v. S.J.**

THE COURT:

It is ordered that the opinion filed herein on May 23, 2008, be modified...
This modification does not change the judgment.
For good cause it now appears that this opinion should be published in
the Official Reports and it is so ordered..

FOR THE COURT:

NICHOLSON, Acting P.J.
Hull, J.

**C057766 THE PEOPLE v. THE SUPERIOR COURT OF YUBA COUNTY; SPARKS
BY THE COURT:**

Petitioner's request to publish the opinion filed on June 06, 2008, is
denied.

RAYE, Acting P.J.

June 24, 2008

**C053483 COUNTY OF SACRAMENTO v. (Not For Publication)
SPRAGUE**

The judgment is affirmed. Sprague shall reimburse the County of
Sacramento for its costs on appeal. ...

SCOTLAND, P.J.

We Concur: Sims, J.
Hull, J.

**C058142 TYRONE B. v. SUPERIOR COURT OF (Certified For Publication)
SACRAMENTO COUNTY; THE PEOPLE**

The opinion in the above entitled matter filed on May 30, 2008, was not
certified for publication in the Official Reports. For good cause it now appears
that the opinion should be published in the Official Reports and it is so ordered.

FOR THE COURT:

SIMS, Acting P.J.
Raye, J.
Hull, J.

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We Concur: Robie, J.
Butz, J.

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Court Minutes

June 26, 2008

C052649 THE PEOPLE v. MITCHELL (Certified For Partial Publication)

The judgment is reversed as to counts 5 and 21 and affirmed as to all other counts. The sentences on counts 2, 20, 47 and 50 are stayed pursuant to section 654. The result is an overall reduction of 16 months in defendant's aggregate sentence. The trial court is directed to correct the abstract of judgment to reflect the foregoing and to reflect that defendant was convicted on count 47 of violating section 530.5, subdivision (a), and to reflect the sentence imposed on count 51. The trial court is further directed to forward the corrected abstract to the Department of Corrections and Rehabilitation.

HULL, J.

We Concur: Davis, Acting P.J.
 Cantil-Sakauye, J.

C054129 THE PEOPLE v. DAVIS (Certified For Partial Publication)

The judgment is affirmed.

NICHOLSON, J.

We Concur: Sims, Acting P.J.
 Hull, J.

C055179 THE PEOPLE v. BROWN (Not For Publication)

The judgment is modified by striking one of the three prior prison term enhancements, reducing defendant's prison sentence from 55 years four months to 54 years four months. The trial court is directed to prepare an amended abstract of judgment accordingly and to forward a certified copy to the Department of Corrections and Rehabilitation. As modified, the judgment is affirmed.

NICHOLSON, J.

We Concur: Davis, Acting P.J.
 Hull, J.

C055610 THE PEOPLE v. REYES (Not For Publication)

The judgment is affirmed.

NICHOLSON, Acting P.J.

We Concur: Robie, J.
 Butz, J.

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June 26, 2008 continued

- C055909 THE PEOPLE v. LETTNER (Not For Publication)**
The superior court is directed to correct the abstract of judgment consistent with the views expressed in section IV herein. In all other respects, the judgment is affirmed.
BLEASE, Acting P.J.
We Concur: Morrison, J.
Hull, J.
- C057022 THE PEOPLE v. PAULSEN (Not For Publication)**
The judgment is affirmed. The trial court is directed to amend the minute order and abstract of judgment consistent with this opinion.
SCOTLAND, P.J.
We Concur: Raye, J.
Cantil-Sakauye, J.
- C057172 THE PEOPLE v. MASON (Not For Publication)**
The judgment is affirmed.
BUTZ, J.
We Concur: Blease, Acting P.J.
Davis, J.
Hull, J.
- C053267 HUGGINS v. GREWAL MEDICAL (Not For Publication)**
ASSOCIATES, INC., et al.
The judgment is reversed. Plaintiff is awarded her costs on appeal.
HULL, J.
We Concur: Blease, Acting P.J.
Robie, J.
- C054663 RUCKER v. WELLS (Not For Publication)**
The judgment is modified by striking the requirement that Rucker must obtain approval of the presiding judge to file future motions regarding child support. As modified, the judgment is affirmed. The parties shall bear their own costs on appeal. ...
SCOTLAND, P.J.
We Concur: Blease, J.
Hull, J.

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June 26, 2008 continued

- C055067 BALLARD v. TUIMAVAVE (Not For Publication)**
The trial court judgment is affirmed. Father shall reimburse Mother for her costs on appeal. ...
SIMS, Acting P.J.
We Concur: Davis, J.
Raye, J.
- C055565 In re MICHAEL G.; THE PEOPLE v. (Not For Publication)**
MICHAEL G.
The judgment (order) is affirmed.
BLEASE, Acting P.J.
We Concur: Davis, J.
Butz, J.

June 27, 2008

- C055818 THE PEOPLE v. BELTRAN (Not For Publication)**
The judgment is affirmed.
DAVIS, Acting P.J.
We Concur: Morrison, J.
Robie, J.
- C053512 DICKSON v. REHMKE (Certified For Publication)**
The judgment (order) is affirmed.
DAVIS, J.
I Concur: Nicholson, J.
I concur in the judgment and opinion dismissing the appeal. ...
Blease, Acting P.J.